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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,082	10/12/2001	Chung-En Kao	67,200-530	1556

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09/29/2003

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9

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliance
With 37 CFR 1.192(c)**

Application No.

09/976,082

Applicant(s)

KAO, CHUNG-EN

Examiner

Steven H VerSteeg

Art Unit

1753


--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 08 September 2003 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☒ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☒ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☒ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☒ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☒ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☒ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☒ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☒ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet


Steven H VerSteeg
Primary Examiner
Art Unit: 1753

Continuation of 9. Other (including any explanation in support of the above items): This section is provided to give Appellant some guidance in filing their brief by pointing out explicitly where the errors are located. If Appellant has any questions, please do not hesitate to contact me. The "Status of Claims" section is incorrect. Claim 15 has been omitted. The "Status of Amendments" section needs to state that the Amendment filed June 9, 2003 was "NOT" entered. The "Summary of the Invention" section needs to refer to the drawings in addition to the specification. The issue section is incorrect. There are several rejections (i.e. 112-second paragraph and 103). There can not be only one issue if there are several rejections. You need to address both the 112-second paragraph rejection of claims 3 and 15 as well as the 103(a) rejection. The "Grouping of Claims" section needs to have explicit language that the "claims stand or fall together" or the "claims do not stand or fall together" for each issue. It is very important to utilize the explicit language. The "Argument" section needs to have separate headings for each issue. There are currently two arguments presented in the brief (i.e. 112-second paragraph rejection of claim 3 and the 103(a) rejection), but only one heading. There needs to be a separate heading for the argument regarding the 112-second paragraph issue and a separate heading for the argument regarding the 103(a) issue. Also, there is no mention of a 112-second paragraph rejection of claim 15 anywhere in the brief. The "Claim Appendix" section is incorrect. Specifically, claim 15 is missing and claim 3 is incorrect. Claim 3 should depend from claim 2. Please check your records. The amendment filed June 9, 2003 was NOT entered. Therefore, CLAIM 15 HAS NOT BEEN CANCELED AND CLAIM 3 HAS NOT BEEN AMENDED. The correct, current versions of claims 3 and 15 need to be listed in the appendix.